

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
Atlanta Division**

THE NEW GEORGIA PROJECT,
et al.,

Plaintiffs,

v.

BRAD RAFFENSPERGER, in his
official capacity as the Georgia
Secretary of State and the Chair of the
Georgia State Election Board, *et al.*

Defendants.

Case No. 1:20-cv-01986-ELR

**PUBLIC INTEREST LEGAL FOUNDATION AND LANDMARK LEGAL
FOUNDATION’S MOTION FOR LEAVE TO FILE *AMICI CURIAE* BRIEF**

The Public Interest Legal Foundation (“PILF”) and Landmark Legal Foundation (“Landmark”), by and through undersigned counsel, respectfully move for leave of court to file an *amici curiae* brief in the above captioned case. The proposed brief and exhibit are attached to this motion.¹ In support of this motion, *amici* state the following:

1. PILF is a non-partisan, 501(c)(3) public-interest organization that is dedicated entirely to promoting the integrity of elections nationwide through

¹ No party’s counsel authored the brief in whole or in part. No party, no party’s counsel, nor any other person, other than *amici*, contributed money for the preparation or submission of this brief.

research, education, remedial programs, and litigation. This matter presents issues that are at the core of PILF's election-integrity mission—namely, the problems and risks attendant to absentee balloting. PILF thus has a serious interest in the subject of this action.

2. Landmark is a national public interest law firm committed to preserving the principles of voter integrity, separation of powers, federalism, and defending individual rights and responsibilities. Landmark thus has a serious interest in the subject of this action.

3. *Amici* believe the information presented in the proposed brief and exhibits will significantly aid the Court in the resolution of the questions raised herein.

4. As part of its mission, PILF studies, audits, and analyzes voter rolls throughout the country. PILF compares voter roll data against federal and other public or commercial databases to flag registrations that may be incomplete, outdated, or no longer valid. For example, PILF uses verifiable death records such as the Social Security Death Index as well as other commercial databases to identify with a high degree of confidence active registrants who are deceased.

5. PILF submits its findings and leads to state and local election officials for further investigation in order to aid their voter roll maintenance programs.

6. PILF recently provided findings regarding potentially deceased registrants and potentially duplicated registrations to the Georgia Secretary of State. A copy of that submission is attached to *amici's* proposed brief.

7. Plaintiffs in this matter seek to invalidate various elements of Georgia's absentee ballot voting procedures. *Amici's* brief presents factual and legal arguments pertaining the Plaintiffs' requests and the brief is thus relevant to the issues before the Court.

8. The information and data presented in *amici's* brief will very likely not be presented by the existing parties, intervenors, or other *amici* because no other existing party, intervenor, or *amici*, to the best of *amici's* knowledge, has invested the resources into examining this question.

9. Mindful of the Court's limited judicial resources, *amici* do not seek to intervene as parties or receive any oral argument time. *Amici* wishes merely to direct the Court to concrete factual matters bearing on the issues presented. Permitting *amici* to file the attached brief and exhibit will thus not prejudice any party or delay resolution of this matter.

10. WHEREFORE, *amici* respectfully requests leave to file the attached *amici curiae* brief and exhibits.

July 15, 2020

Respectfully Submitted,

/s Harry W. MacDougald
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*Motion for admission *pro hac vice* forthcoming

The undersigned certifies that the foregoing document was prepared in 14-point Times New Roman font and in accordance with the margin and other requirements of Local Rule 5.1.

s/ Harry W. MacDougald
Harry W. MacDougald
Georgia Bar No. 463076

CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2020, I electronically filed the foregoing using the Court's ECF system, which will serve notice on all parties.

/s Harry W. MacDougald
Harry W. MacDougald
*Counsel for Public Interest Legal
Foundation and Landmark Legal
Foundation*